

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH RHONE : CIVIL ACTION  
: :  
v. : :  
: :  
DAVID H. LARKINS, et al. : NO. 99-743

ORDER

AND NOW, this 7th day of June, 2016, for the reasons set forth in the foregoing memorandum, it is hereby ORDERED that:

(1) the "independent action for relief from order denying section 2255 [sic] [§ 2254] motion or alternatively, for relief under Rule 60(d) F.R.Civ.P." (Doc. # 25) by petitioner Joseph Rhone is DENIED to the extent that it seeks relief under Rule 60 of the Federal Rules of Civil Procedure; and

(2) the "independent action for relief from order denying section 2255 [sic] [§ 2254] motion or alternatively, for relief under Rule 60(d) F.R.Civ.P." is DISMISSED to the extent that it is a second or successive petition without prejudice to the right of the petitioner to move in the United States Court of Appeals for the Third Circuit for an order authorizing this court to consider the application. See 28 U.S.C. § 2244.

BY THE COURT:

/s/ Harvey Bartle III

J.